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which he is to receive, and places at his disposal the honorarium for the four weeks which he is presumed to spend in the preparation of the case before he proceeds to pass upon it as a judge of the tribunal at The Hague.

The litigating nations did not need to resort to Article 87 of the Hague Convention for the appointment of the judges, as they agreed in advance upon the members of the tribunal, all of whom are strangers to the controversy. Its members are Jonkheer Savornin Lohman of Holland and Mr. Lardy of Switzerland, both tried and experienced arbitrators, and it is a very great satisfaction to the people of the United States and especially to the American Society of International Law to note that its honored president, Mr. Elihu Root, has been chosen by the nations in controversy as president of the tribunal. The text of the *compromis* is printed in the Supplement, p. 165.

ARBITRATION AND PEACE TREATIES

In an editorial comment in this Journal for October last a comparison was made of the form of treaties, a series of which are being negotiated by Mr. Bryan and which have come to be commonly known as the Bryan peace treaties, with the unratified arbitration treaties of 1911 and the series of general arbitration treaties negotiated by Secretary Root in 1908.

Since that time, the efforts of Secretary Bryan to negotiate this form of treaties have been attended with considerable success. At the date of the present writing, no less than thirty-four governments have accepted it in principle, namely, Italy, Great Britain, France, Brazil, Sweden, Norway, Russia, Peru, Austria, Netherlands, Bolivia, Germany, Argentina, China, Dominican Republic, Guatemala, Haiti, Spain, Portugal, Belgium, Denmark, Chile, Cuba, Costa Rica, Salvador, Switzerland, Paraguay, Panama, Honduras, Nicaragua, Japan, Persia, Ecuador and Venezuela. Of the governments which have accepted the form of treaty in principle, fourteen have already attached their signatures to treaties, as follows: Salvador, August 7, 1913; Guatemala, September 20, 1913; Panama, September 20, 1913; Honduras, November 3, 1913; Nicaragua, December 17, 1913; Netherlands, December 18, 1913; Bolivia, January 22, 1914; Portugal, February 4, 1914; Persia, February 4, 1914; Costa Rica, February 13, 1914; Switzerland, February 15, 1914; Dominican Republic, February 17, 1914; Venezuela, March 21,

1914; and Denmark, April 17, 1914. The texts of all these treaties have not yet been published, but it is assumed that they follow the text of the treaty with Salvador which was published last summer and which appears in the October 1913 number of the Journal at pages 824-825.

As was explained in the editorial referred to, the new treaties are not intended as substitutes for the general arbitration treaties negotiated by Secretary Root, as was the case with the Knox treaties of 1911, but are intended to accompany and complement them. Secretary Bryan has accordingly negotiated renewals of the general arbitration treaties of 1908 which terminated at the expiration of five years. The renewals negotiated to date are as follows: With France, February 13, 1913, extending the treaty of February 10, 1908, which expired February 27, 1913; with Spain, May 29, 1913, extending the treaty of April 20, 1908, which expired June 2, 1913; with Great Britain, May 31, 1913, extending the treaty of April 4, 1908, which expired June 4, 1913; with Norway, June 16, 1913, extending the treaty of April 4, 1908, which expired June 24, 1913; with Sweden, June 28, 1913, extending the treaty of May 2, 1908, which expired August 18, 1913; with Japan, June 28, 1913, extending the treaty of May 5, 1908, which expired August 24, 1913; with Portugal, June 28, 1913, extending the treaty of April 6, 1908, which expired November 14, 1913; with Switzerland, November 3, 1913, extending the treaty of February 29, 1908, which expired December 23, 1913; with Italy, May 28, 1913, extending the treaty of March 28, 1908, which expired January 22, 1914; with Costa Rica, March 16, 1914, extending the treaty of January 13, 1909, which expires July 20, 1914; with Paraguay, March 2, 1914, extending the treaty of March 13, 1909, which expires October 2, 1914.

The renewals uniformly cover another period of five years.

The treaty negotiated with the Dominican Republic on February 17, 1914, contains not only the provisions of the Bryan treaties, but also of the provisions of general arbitration treaties of 1908, Secretary Root not having negotiated a general arbitration treaty with the Dominican Republic.

The United States Senate has consented to the ratification of the renewal of the general arbitration treaties, and ratifications have already been exchanged with France, Spain, Great Britain, Norway, Sweden and Italy.

Secretary Bryan had not at the date of this writing submitted to the Senate for ratification any of the treaties negotiated by him but, as said

in the former editorial referred to, it is understood that the Senate Committee on Foreign Relations approved the draft of these treaties and it is not expected, therefore, that any objection will be raised by the Senate to their ratification.

The renewal of the general arbitration treaties and the success attending the negotiation of the Bryan peace treaties will go far toward restoring the United States to the position of leadership in the cause of international arbitration and peace which it occupied prior to the unfavorable action of the Senate upon the arbitration treaties of 1911.

IN MEMORIAM

The year 1913 has been one full of regret and of sorrow to workers in the field of international law, public and private, for they have lost colleagues and friends in international law properly so called and in the conflict of laws, in the deaths of John Westlake, T. M. C. Asser, Ludwig von Bar, Frederick Meili, and Emanuel von Ullmann. An appreciation of Professor Westlake has already appeared in the Journal. The present comment chronicles, briefly and inadequately, the careers and services of Messrs. Asser, von Ullmann, von Bar, and Meili.

T. M. C. ASSER

Mr. T. M. C. Asser, an honorary member of the Institute of International Law, of which he was one of the founders, was born in Holland on April 28, 1838. A lawyer by training, a professor for years at the University of Amsterdam and Councilor of State of his native country, he was the author of an admirable treatise on international private law, written in Dutch and translated into French by his friend, Alphonse Rivier, as well as of various contributions to international law, public and private. He initiated the Hague Conferences on International Private Law, which have rendered such services to the conflict of laws, and was the delegate of his country to the First and Second Hague Peace Conferences, in each of which he rendered distinguished and devoted service. Lastly, but not least, he took in hand the establishment of an Academy of International Law to be installed in the Peace Palace at The Hague, and it is a matter of profound regret to his many friends and admirers that he did not live to see its foundation, a hope which he